

Your response

What is your response to this call for inputs?

About Humanists UK

At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted to promote humanism by over 65,000 members and supporters and over 100 members of the All Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

Summary

We have long protested to the BBC about its failure to provide any programmes that are explicitly about non-religious beliefs or humanism, by contrast with the many hours of programmes that are explicitly religious, a high proportion of which consist of Christians preaching Christianity to their own followers. No programme has ever been broadcast on a national network in which humanists have been allowed directly to address humanists on humanism. The BBC's Religion and Ethics department has a history of focusing on religions in its broadcasting about the beliefs found in the world today, to the exclusion of non-religious worldviews.¹

In 2009, non-religious representatives were

¹ For a historical perspective we refer to an article in *The English Historical Review*, Volume CXXVII, Issue 525, 1 April 2012 by Callum Brown: 'The Unholy Mrs Knight' and the BBC: Secular Humanism and the Threat to the 'Christian Nation', c.1945–60, available at <https://academic.oup.com/ehr/article/CXXVII/525/345/395412>: it is our impression, gained over decades, that the attitudes so amply illustrated there persist to a remarkable degree until almost the present day - as has been confirmed for the 1990s by Lord Birt who has spoken of how he attempted and failed to change the BBC's approach to religion and belief to be more balanced, when he was the Director-General.

included in the Standing Conference on Religion and Belief, a then-new independent body that liaised with the BBC on matters of common concern to the BBC and religious and belief groups. The first humanist representative was Andrew Copson, Chief Executive of Humanists UK. The Standing Conference has not met since 2013, and since then we have been included in other similar initiatives. However, programming has not yet become any more inclusive in its content.

In addition to our case being taken up by humanists in Parliament, we have had meetings with Directors-General of the BBC, chairs of the BBC Trust and Heads of BBC Religion and Ethics, and will continue to pursue change through those and other channels.

Religions, non-religious worldviews, and humanism: a primer

In a variety of different contexts within the law and public policy, the phrases 'religion or belief', 'religion and belief', and 'religions and non-religious worldviews' appear.

'Religion or belief' or 'religion and belief' are phrases that now appear in UK legislation. They refer to both religions and non-religious worldviews but also to 'coherent, serious, and cohesive' philosophical beliefs on more specific topics which relate to 'a weighty and substantial aspect of human life and behaviour'.^{2,3}

'Religions and non-religious worldviews' is generally understood to more narrowly refer to those religions and beliefs that seek to answer ultimate questions, comprehensively relating the nature of life and the world to morality, values, and/or the way people should live. In other words, the phrase refers to religions and to their non-religious equivalent worldviews.

Humanism is the only prominent non-religious

² Grainger plc and Ors v Nicholson UKEAT/0219/09, paragraph 24:
http://www.bailii.org/uk/cases/UKEAT/2009/0219_09_0311.html

³ Examples of protected 'beliefs' predominantly focussing on more specific topics include vegetarianism and veganism.

worldview that is common in the UK today. It is also the most well-articulated and well-resourced⁴ non-religious worldview in the UK, and therefore the most suitable for inclusion in various initiatives that examine the major religions (such as the BBC's output). We expand on this below.

Demographics

According to the British Social Attitudes Survey, 53% of the population say they do not belong to any religion.⁵ Separately, a private opinion poll commissioned by Humanists UK in 2014, carried out by YouGov, found that 6% of British adults readily identify with the term 'humanist' (the other options presented to non-religious respondents being atheist, agnostic, spiritual, naturalist, none of these, and don't know). Some of those who chose other options would likely also subscribe to the label 'humanist', but in any case, the results still reveal that there are more people in Britain who readily describe themselves as humanists than, for example, Muslims.⁶

With that said, Humanism is different from the major religions in being a descriptive label for a set of beliefs that have existed throughout history and across the world. Often when people come to self-identify as a humanist they say they have 'discovered' a term that has long applied to them. This doesn't happen with religions, of course, but that does not mean humanists, whether self-identifying or not, hold a worldview that is any less cogent or substantive than that of religious people. Non-religious people are not compelled by their beliefs to engage in any sort of formal practice or observance, join any organisation, or even identify with any particular creed at all. The difference between religions and non-religious worldviews on this score should not mask the fact that the humanist outlook on life is as widespread in Britain today and as worthy of

⁴ Numerous substantial books on humanism have been published in the last twenty years and Humanists UK has produced online resources including a MOOC hosted by Sandi Toksvig and a highly praised website for schools, <https://understandinghumanism.org.uk/>.

⁵ British Social Attitudes Survey 2017: http://www.bsa.natcen.ac.uk/media/39196/bsa34_full-report_fin.pdf

⁶ According to the British Social Attitudes Survey a total of just 6.3% of people in Britain belong to all minority smaller religions, including Islam, Judaism, Hinduism, Sikhism, etc).

respect as any minority religion.

To get closer to understanding this phenomenon, a 2016 Humanists UK-commissioned YouGov poll asked British adults a series of questions about their beliefs about religion, ethics, morality, and reason. The results found that 22% of the population has a non-religious outlook on life that matches the humanist one. Furthermore, 17% self-define as humanist when this fact is pointed out to them.⁷ So, humanism is the explicit or implicit worldview of a significant plurality of non-religious people in Britain.

Legal responsibilities placed upon the BBC

Under its Public Purpose no 4, 'the BBC must reflect, represent and serve the diverse communities of all of the UK ...' Every one of us must belong to many such communities – defined by characteristics such as nationality, region, ethnicity, employment, voluntary pursuits. No doubt these will figure in the Ofcom review.

But the BBC has even more fundamental duties in respect of some such characteristics under both the Human Rights Act 1998 and the Equality Act 2010. In the case of the Equality Act these duties require the BBC not just to avoid discrimination against those with protected characteristics⁸ but actually to promote equality⁹ and while the 1998 Act does not just require the BBC to avoid any unjustified discrimination in the delivery of the rights guaranteed in the Act, but (in section 6) makes it 'unlawful for a public authority' such as the BBC 'to act in a way which is incompatible with a Convention right'.

For the purpose of this submission the relevant protected characteristic under the 2010 Act is religion or belief, while the relevant application of the 1998 Act is to any discrimination in the

⁷ YouGov poll on Humanism, conducted 28-29 July 2016: <https://humanism.org.uk/wp-content/uploads/Results-for-BHA-Humanism-313-18.04.17.xlsx>

⁸ sn.52: 'It is unlawful for a public authority exercising a function to do any act which constitutes discrimination'.

⁹ sn.149(1).

delivery of the right to freedom of religion and belief (Article 14 in combination with Article 9).

We emphasise at the start (and this is amply demonstrated by looking at relevant case law) that the law clearly establishes that for its purposes religions and non-religious beliefs such as humanism are not to be distinguished. The law requires there to be no discrimination not only in favour of (say) Christians over Muslims but in favour of those of any religion over (say) humanists. In the terms of a significant recent High Court judgement what is required is 'equal respect' and the equal treatment that follows from it.¹⁰

It is our contention that the BBC has been in breach of its duty not only under Public Purpose 4 but also under the Equality Act and the Human Rights Act.

Ofcom is, like the BBC, a public authority, and the same legal duties therefore bind Ofcom, which in addition has its own specific obligation under the Communications Act 2003 where section 264 requires it to carry out a periodic review of the extent to which public service broadcasters as a group have met the purposes of public service television broadcasting and to report what it finds. These are wide-ranging but they include providing 'a suitable quantity and range of programmes dealing with' various subjects including 'religion and other beliefs', where "'belief'" means a collective belief in, or other adherence to, a systemised set of ethical or philosophical principles or of mystical or transcendental doctrines' - a wide definition that is similar to that we give for 'worldviews' above, and certainly includes humanism. The Act lays down types of programmes on 'religion and other beliefs' that would meet this requirement.¹¹ It is generally acknowledged

¹⁰ The case concerned the state's duties in respect of religious education but the principles are identical to those that govern a public authority: 'the state must accord equal respect to different religious convictions, and to non-religious beliefs; it is not entitled to discriminate between religions and beliefs on a qualitative basis; its duties must be performed from a standpoint of neutrality and impartiality as regards the quality and validity of parents' convictions.' - R (Fox) -v- Secretary of State for Education [2015] EWHC 3404 (Admin) at paragraph 39: <https://www.judiciary.gov.uk/wp-content/uploads/2015/11/r-fox-v-ssfe.pdf>

¹¹ '(g) that the programmes included in those services that deal with religion and other beliefs include-
(i) programmes providing news and other information about different religions and other beliefs;
(ii) programmes about the history of different religions and other beliefs; and

that the principal burden in respect of television broadcasting about religion or belief falls on the BBC.

Ofcom has conducted three such reviews, the latest in 2015. As with its predecessors, the relevant parts of that report were exclusively in terms of religion: the word 'belief(s)' occurred five times, four of them in the phrase 'religious beliefs' and once in reference to a survey: 'those with beliefs other than Christianity'. Ofcom also publishes annual reports on public service broadcasting where again the focus is entirely on religion ('religion and ethics') with never a mention of non-religious beliefs.

Despite the legal requirement quoted above that Ofcom report on 'the extent to which public service broadcasters have... fulfil[led] the purposes of public service television broadcasting', it is not clear that Ofcom has ever formulated an answer with respect to non-religious beliefs.

We trust, however, that Ofcom will in its present review pay full attention to this aspect of the legal duties laid on the BBC. It may appear a detail, but it is one of importance. Parliament recognised fifteen years ago that the category 'religion' was too narrow and that there were alternative, non-religious worldviews that deserved equal respect. Ofcom and the BBC have so far failed to recognise that fact despite the explicit legal obligations laid on them by the Communications Act, the Human Rights Act and the Equality Act.

Exclusion of humanists from broadcasting

Yet since 2003 the number of people in the United Kingdom who follow any religion has continued to decline and the number labelling themselves as having no religion has grown to over half the population. In the annual British Social Attitudes Survey, there has been reported a decline in Christian affiliation from 51% to 41% in this period alongside a rise in those with no religion from 43% to 53%. Those

(iii) programmes showing acts of worship and other ceremonies and practices (including some showing acts of worship and other ceremonies in their entirety)'.

with a non-Christian religion have remained at 6%. We do not suggest that the non-religious 53% are all humanists - that is patently untrue - but as explained above, we do claim with confidence that humanism is the only fully articulated non-religious worldview present in the UK with significant support and organisation.

Humanists UK itself has 65,000 members and supporters, while our sister organisation Humanist Society Scotland has another 16,000 members. Humanists UK's many public lectures routinely draw audiences of several hundred and often over a thousand. It has an extensive network of celebrants providing humanist funerals, weddings and other ceremonies and a growing network on non-religious pastoral care providers in prisons, hospitals and elsewhere. It organises an All-Party Parliamentary Group with over 100 members and has regular consultative meetings with several government departments and agencies. It provides an extensive range of highly praised teaching materials for use by schools in 'religious education'. It engages in debate on public ethical issues such as assisted dying, relationships and sex education, and numerous questions engaging human rights and equality and non-discrimination, and has intervened several times in related Supreme Court cases.

We turn therefore to the substance of our submission. It is our contention that the BBC has in the past failed to meet not just the public purpose remit under review but also the legal obligations set out above. With the numbers of people claiming even a weak affiliation to Christianity in unbroken decline for many decades, humanism presents an alternative that reaches a high 'level of cogency, seriousness, cohesion and importance', is 'worthy of respect in a democratic society', and is not only 'compatible with human dignity' but based on it.¹² It was the explicit intention of Parliament and the Government in the Communications Act to promote broadcasting dealing with humanism.¹³ The BBC has

¹² Campbell and Cosans v. UK: (1982), 4 EHRR 293

¹³ See House of Lords debates, 1 July 2003, col 784.

effectively ignored Parliament's intention and its legal duties.

What types of programmes are we talking about?

There are three relevant types of programme that fall to be considered. These are:

(a) Current affairs programmes and documentaries related to religion or belief – e.g. *Muslims Like Us* (BBC Two), Neil MacGregor's *Living With The Gods* (BBC Radio Four), *Canvey – The Promised Land* (BBC Two).

(b) Magazine and discussion programmes about religion and belief designed to educate, entertain and inform - e.g. *Sunday* (BBC Radio Four), *The Moral Maze* (BBC Radio Four), *The Big Questions* (BBC One), *Sunday Morning Live* (BBC One).

(c) Programmes by believers about religion and belief and addressed to fellow-believers - e.g., the daily service on BBC Radio Four, and programmes to mark specific religious festivals (Easter, Divali etc).

We will consider these in turn.

(a) The BBC has not broadcast a single documentary programme explicitly about humanism or humanists either on television or radio since a short interview series on the then Home Service in 1965. The BBC is right now considering a pitch for such a programme about humanist ceremonies, to go out in August, and has generally been much more open and willing to engage with us this year in conversations around such programming. So it may be that this is about to change. But at the moment it has not.

(b) Humanists and the non-religious are generally invited to take part in discussion programmes and so this is less of a problem. However, such inclusion is still far from proportional to the demographics of the population. To give a recent powerful example of what is all too typical, we can look at the BBC's reaction in autumn 2017 to the

publication of the 2016 British Social Attitudes Survey, which found that 53% of the public as belonging to no religion - for the first time a clear majority non-religious - including 71% of 18-24s being of no religion versus just 3% Church of England. This news was an exclusive on 5 Live's drive-time programme, which broke the news on the Monday and then had a week of segments themed around the changing demographics. But on the Monday itself, the reaction to the news was sought exclusively from a Church of England bishop. Most of the rest of the week was given over to young people who are still religious. Only Thursday focused on those who are non-religious. It is almost as if we jumped from a situation where we must pay attention to the religious because they are the majority to a situation where we must pay attention to them because they might become an unusual minority whose views therefore need studying - but all the while the non-religious are largely excluded.

Sunday Morning Live organised a segment on the matter, and as is all too typical, this consisted of reactions from our Chief Executive and six religious people. Again this failed to reflect the demographics of Britain that the survey was declaring. This did however make the producers of *Sunday Morning Live* realise the need to be more inclusive of the non-religious - and they started inviting someone from Humanists UK more frequently. But still not often enough to be proportional.

(c) There is an unbroken daily sequence of programmes specifically serving the Christian community (*Thought for the Day* and *Prayer for the Day* (BBC Radio Four), the daily service (BBC Radio Four) and *Songs of Praise* (BBC One) are all predominantly Christian) plus occasional programmes devoted to the observances of other religions such as Passover or Eid. But there has never been a single programme in which humanists have been given a platform to talk to fellow humanists.

How has this exclusion been justified?

To the extent to which there has been any attempt to justify this exclusion, it has typically

come from religious stakeholders, who argue that most of the BBC's programming is non-religious - it is religious programming that is in the minority.

This betrays at best a failure and at worst a cynical pretence to misunderstand the distinction between programming that is not concerned with religion or belief, on the one hand, and programming that is specifically about or for the non-religious as such, on the other.

BBC News at Six is not a programme about religion. But neither is it a programme about non-religious beliefs. Instead it aims to be about the newsworthy activities of everyone, regardless of religion and belief, and these activities typically do not concern religion or belief at all. The same is true for most of the BBC's output. To say that the weather forecast balances *Thought for the Day* is absurd.

The same is also true for programmes like *Infinite Monkey Cage*. Yes, it is about science. But it is not about what makes non-religious people distinctive, in their beliefs, behaviours, or identities, or the history of non-religious thought.